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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EDWARD THOMPSON,

Plaintiff,

-against-

MICHAEL ANTONOFF; DYNAMIC AIR  
CONDITIONING CO., INC.; and XYZ  
CORPORATIONS 1-10,

Defendants.

Civil Action No.: 07 CV 3008 (PKC)

STIPULATION AND ORDER  
DISMISSING COUNTERCLAIM  
AND STRIKING OF  
FIRST AFFIRMATIVE DEFENSE

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Defendants Michael Antonoff ("Antonoff") and Dynamic Air Conditioning Co., Inc. ("Dynamic"), hereby agree to dismiss with prejudice the Counterclaim asserted in their Answer and Counterclaim, dated July 17, 2007 ("Answer"); and

Defendants Antonoff and Dynamic consent to the striking of the "First Affirmative Defense" asserted in their Answer.

Dated: New York, New York  
August 27, 2007

GANGEMI LAW FIRM, P.C.

By: Salvatore G. Gangemi  
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Dynamic Air Conditioning Co., Inc.  
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SO ORDERED:

Kevin Castel 8-30-07  
Kevin Castel, U.S.D.J. Date